



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/537,591

06/06/2005

Theodoor Gertrudis Silvester Rijks

EPC-016

6387

25962 7590 12/12/2008
SLATER & MATSIL, L.L.P.
17950 PRESTON RD, SUITE 1000
DALLAS, TX 75252-5793

EXAMINER

THOMAS, LUCY M

ART UNIT

PAPER NUMBER

2836

MAIL DATE

DELIVERY MODE

12/12/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Art Unit: 2836

The Applicant argues that Zavracky does not teach or suggest that a hysteresis curve having a smaller width is fully located within the width of the hysteresis curve having a larger width. Examiner respectfully disagrees. In Column 7, lines 40-44, Zavracky discloses, "each successive micromechanical shunt element 140, 141, 142, 143, 144, 145, 146, 147 has a slightly higher closure threshold voltage determined mainly by the dimensions of the cantilever beam contained therein, " and in Column 7, line 65-Column 8, line 1, discloses, "This variation in length provides one of several ways to vary the threshold voltage of the shunt because longer cantilever beam require lower threshold voltages for closure, all other characteristics being equal." When all other characteristics being equal, higher threshold voltage for closure results in a wider hysteresis width or higher retention, and therefore, the hysteresis curve having a smaller width or smaller threshold voltage will be fully located within the width of the hysteresis curve having the larger width.

Regarding Applicant's arguments toward Miles and Sugahara combination, examiner agrees that Miles and Sugahara do not specifically disclose that the MEMS elements are designed such that the hysteresis curve having a smaller width is located fully within the width of the hysteresis curve having next larger width. In paragraph 22, lines 11-18, Miles teaches that the hysteresis width variations of MEMS elements can be caused by several factors, such as thickness of the layers, and resistance variations of the lines (see paragraph 22, lines 11-18), and it would be obvious to one of ordinary

Art Unit: 2836

skill in the art to design MEMS elements to have the smaller width elements fully located within the width of the next-larger width.

/Stephen W Jackson/

Primary Examiner, Art Unit 2836